


**ATTACHMENT****PATENT****Certificate of Facsimile Transmission**

I hereby certify that this correspondence is being deposited via facsimile to Mail Stop Non-Fee Amendment, Commissioner for Patents, Alexandria, VA: 22313-1450, Technology Center 3764 Attention: Azadeh Kokabi, at fax number 703 872 9308 on February 6, 2004

 February 6, 2004  
Jane A. Walker Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No: 10/091,849  
Filed: March 6, 2002  
Confirmation No.: 8604  
Applicant: Steven T. Boyce  
Title: **APPARATUS FOR PREPARING A BIOCOMPATIBLE MATRIX**  
Art Unit: 3764  
Examiner: Kokabi  
Att'y Dock: CUT-02

Cincinnati, Ohio 45202

February 6, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

**ELECTION AND PRELIMINARY AMENDMENT**

In response to the Office Action mailed January 9, 2004 in the above-referenced application, applicant elects with traverse Group I. Applicant notes that claims 40-42, drawn to an apparatus, have been erroneously listed with Group II method claims. Applicant thus respectfully requests that the Election include claims 1-5, 11, 18-26, 33-34, and 40-42.

As requested by the Examiner, applicant elects species B, as depicted in figure 1D.

**Amendment to the Specification** begins on page 3 of this paper.

**Amendments to the Claims** begins on page 4 of this paper.

**Remarks** begin on page 14 of this paper.